

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

ELAINE L. CHAO,)	
Secretary of Labor,)	
U. S. Department of Labor,)	
)	FILE NO. 1:06-cv-00050 LTS
Plaintiff,)	
)	
v.)	
)	
STRUTHERS INDUSTRIES, INC.,)	
JOMEY B. ETHRIDGE, a/k/a JOE B.)	
ETHRIDGE AND J.B. ETHRIDGE; and)	
STRUTHERS INDUSTRIES, INC.)	
RETIREMENT AND PROFIT SHARING)	
PLAN AND TRUST)	
Defendants.)	
)	

ORDER GRANTING APPROVAL THE INDEPENDENT FIDUCIARY'S MOTION FOR
APPROVAL OF FEES AND EXPENSES OF THE INDEPENDENT FIDUCIARY AND
THOSE PROVIDING SERVICES TO THE INDEPENDENT FIDUCIARY

Pursuant to the January 25, 2007 Consent Order and Judgment (D.E. #12-1) issued by this Court, Jeanne Barnes Bryant was appointed as Successor Fiduciary (hereafter referred to as "Successor Fiduciary") over the Struthers Industries Inc. Retirement and Profit Sharing Plan and Trust, a defined contribution retirement plan (the "Retirement Plan"). Pursuant to that Order, Ms. Bryant has submitted a Motion for Approval of Fees and Expenses of the Successor Fiduciary and Those Providing Services to the Successor Fiduciary (D.E. #28).

The Court having reviewed the Motions and the Exhibits attached thereto and noting that no objection has been filed in

respect of such Motions and that the time for filing any responsive pleading has expired, this Court finds as follows:

1. The Consent Judgment in this case provides that the Successor Fiduciary is entitled to receive from the assets of the Retirement Plan her reasonable costs and fees in carrying out her duties and responsibilities under the Consent Judgment and Order. The Consent Judgment and Order further provides that in order to receive payment from these funds, the Successor Fiduciary must first submit to the Court a request for fees and obtain the Court's approval for such payment.

2. Jeanne Barnes Bryant, the Successor Fiduciary, has submitted a Motion for payment of her reasonable fees and expenses for February 1, 2008 through February 29, 2008 (D.E. #28) in the amount of \$175.00 from the assets of the Retirement Plan for Ms. Bryant's fees. Additionally, Ms. Bryant is seeking payment of \$499.38 representing contract labor of \$355.50 and \$143.88 in other expenses for the period of February 1, 2008 through February 29, 2008. All of these expenses are more particularly set forth in Exhibit 2 attached to the Motion (D.E. #28) and relate specifically to Jeanne Bryant's activities concerning the Retirement Plan.

Based upon the foregoing, it is

ORDERED AND ADJUDGED that the Motions for Approval of Fees and Expenses (D.E. #28) are hereby **GRANTED** and that Jeanne Bryant is authorized to make the payments in the amounts outlined above

from the assets of the Retirement Plan, pursuant to the terms of the Consent Judgment entered herein.

DONE AND ORDERED this 29th day of April, 2008.

s/ L. T. Senter, Jr.
L.T. SENTER, JR.
SENIOR JUDGE

Approved for entry:

/s/ Jeanne Barnes Bryant
Jeanne Barnes Bryant
Successor Fiduciary

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order have been or will be mailed and/or faxed if number available by the 4th day of April, 2008 to all parties noted below:

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BY: /s/ Jeanne Barnes Bryant

Jeanne Barnes Bryant
Successor Fiduciary